



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

Mr. Steven S. Pak, P.E.  
Supervisor, Air Quality Permits Unit 2  
Air Quality Permits Section  
Industrial Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155-4194

Dear Mr. Pak:

I am writing with respect to your November 27, 2012, letter regarding a new source review applicability determination request for the 3M facility located at 2115 Broadway Street South, Alexandria, Minnesota. According to the information provided, 3M accepted a synthetic minor limit equivalent to 240 tons per year of Volatile Organic Compound (VOC) emissions in order to avoid classification as a major source of emissions under the Prevention of Significant Deterioration program in a previous permitting action. The facility is a major source under the Title V permitting program. 3M is now proposing to install additional equipment at the facility, and is requesting that the new equipment be included under the existing VOC cap. 3M believes that this change can be accommodated under the state's moderate amendment process. The Minnesota Pollution Control Agency (MPCA) has determined that the change would trigger the state's major amendment process. In an applicability determination request submitted to MPCA on September 14, 2012, 3M requested a review and determination from the U.S. Environmental Protection Agency on this matter. EPA has reviewed the information provided, and concurs with MPCA.


MPCA has a combined construction and operation permit program which has been approved pursuant to Title V of the Clean Air Act (CAA) and the implementing regulations at 40 CFR part 70, and has been approved into the Minnesota State Implementation Plan (SIP) pursuant to Title I of the CAA and the implementing regulations at 40 CFR part 51, subpart I. The approved state program provides for administrative, minor, moderate, and major amendments to a permit. The applicability criteria for each type of amendment can be found at Minnesota Rules 7007.1400 (administrative amendments), 7007.1450 (minor and moderate amendments), and 7007.1500 (major amendments). Minnesota Rule 7007.1450, subpart 3 essentially defines a moderate amendment as a change that is not subject to the requirements for a major amendment under 7007.1500, but does not meet the requirements for an administrative amendment under 7007.1400 or a minor amendment under 7007.1450, subpart 2. Minnesota Rules 7007.1500 (C) as approved pursuant to Title V, and approved into the Minnesota SIP requires a major amendment for:

“... any amendment to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement described in part 7007.0100, subpart 7, items A to K, and that the stationary source has assumed to avoid an applicable requirement to which the stationary source would otherwise be subject. Such terms and conditions include:

(1) a federally enforceable emissions cap assumed to avoid classification as a title I modification...”

Although the current permit contains a synthetic minor limit to establish the facility as a synthetic minor source, it does not authorize construction of additional emission units or future modification of existing emission units. The current cap simply restricts emissions from equipment that existed at the facility at the time of permit issuance. EPA agrees with the position taken by MPCA. In order to add units, the current limitation would have to be modified to include the new equipment, and a revised Title I condition must be established pursuant to the State’s major amendment process. If you have any questions, please contact Rachel Rineheart at 312-886-7017.

Sincerely,

  
Genevieve Damico  
Chief  
Air Permits Section